

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JEREMY BROWN,

Petitioner,

v.

3:04-cr-137

3:13-cv-012

UNITED STATES OF AMERICA,

Respondent.

MEMORANDUM AND ORDER

This is a *pro se* motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 filed by petitioner Jeremy Brown ("petitioner"). The § 2255 motion was received by the court after the expiration of the one-year statute of limitation and petitioner was ordered to show cause why his § 2255 motion should not be dismissed as untimely. Petitioner has filed his response and contends that he is entitled to relief under the doctrine of equitable tolling. The United States Attorney is hereby **ORDERED** to respond to petitioner's claim that he is entitled to equitable tolling of the statute of limitation within thirty (30) days from entry of this Order.

ENTER:

s/ Thomas W. Phillips
United States District Judge